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SURJEET SINGH

**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

SURJEET SINGH, an individual,  
  
Plaintiff,

v

CRESTBROOK INSURANCE COMPANY,  
a Foreign (Insurance) Corporation; DOES I  
through X; and ROE CORPORATIONS I  
through XX, inclusive

Defendants.

**CASE NO.: 2:24-cv-00246-CDS-EJY**

**STIPULATION AND ORDER TO  
EXTEND DISCOVERY PLAN AND  
SCHEDULING ORDER**

**(FIRST REQUEST)**

Pursuant to LR 26-3 and Fed. R. Civ. P. (“Rule”) 6(b), Plaintiff SURJEET SINGH (“Plaintiff”), through his counsel Southwest Injury Law, PLLC, and Defendant CRESTBROOK INSURANCE COMPANY (“Defendant”), through its counsel Hines Hampton Pelanda, LLP, submit their Stipulation for Order to Continue Discovery Plan and Scheduling Order Deadlines. This is the parties’ first extension request.

1           1.       On March 18, 2024, the parties submitted a Stipulated Discovery Plan and  
2 Scheduling Order (Submitted in Compliance with Local Rule 26-1(b)). [ECF No. 13].

3           2.       On March 18, 2024, this Court entered an Order on Discovery Plan and  
4 Scheduling Order (“Scheduling Order”) [ECF No. 14]. In the Order, the Court established the  
5 following discovery plan and scheduling order deadlines:

6           (1) Last to file Motions to Amend Pleadings or Add Parties: September 3, 2024

7           (2) Initial Expert Disclosures: October 3, 2024

8           (3) Rebuttal Expert Disclosures: November 1, 2024

9           (4) Discovery Cut-Off: December 2, 2024

10          (5) Last Day to File Dispositive Motions: January 3, 2025

11          (6) Joint Pretrial Order: February 2, 2025, unless dispositive motions are filed, in which  
12 case the deadline to file the joint pretrial order is 30 days after a decision on the  
13 dispositive motions or on further order of the court.

14          3.       On August 2, 2024, the Parties commenced meet and confer discussions as to  
15 Defendant’s request to conduct an independent medical exam (“IME”) of Plaintiff as to the  
16 injuries Plaintiff claims were caused by the auto accident that is the subject of Plaintiff’s  
17 underinsured motorist coverage insurance claim under his personal auto and excess liability  
18 insurance policies at issue in this litigation, including Plaintiff’s hands and wrists injuries and  
19 his cervical and spine injuries which are part of his damage claims. In connection with the  
20 agreement to stipulate to an IME of Plaintiff by Defendant’s two consultants, Dr. Glenn Cohen,  
21 Orthopedic Surgeon/Treatment of Hand, Wrist, and Elbow, and Dr. Brian Rudin, Orthopedic  
22 Spine Surgeon, the parties also met and conferred on the potential for early settlement  
23 discussions and have agreed to an early mediation to take place approximately sixty (60) days  
24 following the completion of Plaintiff’s IME. So as to focus efforts on mediation, the parties  
25 have mutually determined that it would be in the best interests of the parties to continue all  
26 unexpired deadlines established by the Scheduling Order by approximately ninety (90) days.  
27 Such an extension would allow the parties sufficient time to obtain and disclose initial expert  
28 reports following the conclusion of the mediation in the event the matter does not resolve at

mediation and move forward with fact witness depositions and discovery.

4. The parties have diligently pursued discovery and continue to do so.

5. Good cause exists for this extension for the reasons stated herein and in Part C below.

**A. Discovery Completed To Date:**

1. Disclosures

a. Plaintiff served his FRCP 26(a)(1) Initial Disclosures on March 29, 2024.

b. Defendant served its FRCP 26(a)(1) Initial Disclosures Pursuant on April 2, 2024.

c. Plaintiff served a First Supplement to Initial Disclosures on July 24, 2024.

d. Plaintiffs served a Second Supplement to Initial Disclosures on August 15, 2024.

2. Written Discovery

a. Plaintiff propounded to Defendant a first set of requests for admissions, requests for production of documents, and interrogatories on April 18, 2024.

b. Defendant served written responses to Plaintiff's first set of requests for admissions, requests for production of documents, and interrogatories, and produced documents, on June 3, 2024.

c. Defendant propounded to Plaintiff a first set of interrogatories and requests for production of documents on June 24, 2024.

d. Plaintiff served written responses to Defendant's first set of interrogatories and requests for production of documents, and produced documents, on June 24, 2024.

e. Defendant propounded to Plaintiff a first set of requests for admissions to Plaintiff on July 24, 2024.

3. Subpoenas

a. On or about June 12, 2024, Defendant served subpoenas to produce documents on the following third parties:

- (1) Colton Caron, DTP at Lyons Physical Therapy
- (2) Desert Radiology
- (3) Juan C. Martinez-Moreno, M.D., at Nevada Muscle & Nerve
- (4) Kourtney Layton & Associates, Inc.
- (5) Kunal Parkh, M.D.
- (6) Michael Trainor, D.O.
- (7) Nitin J. Engineer, M.D., Engineered Aesthetics Plastic Surgery  
Institute
- (8) Pueblo Medical Imaging
- (9) Summerlin Hospital Medical Center
- (10) Shadow Emergency Physicians, PLLC
- (11) VMAR

b. On or about August 5, 2024, Defendant served subpoenas to produce documents on the following additional third parties:

- (12) John Ward, John Ward Economics
- (13) Mehendra Paul Singh, MD, Genesis Medical Group

4. IME

a. An independent medical exam (IME) of Plaintiff conducted by examinees, Dr. Glenn Cohen and Dr. Brian Rudin is scheduled to take place on September 7, 2024. The parties are separately filing a stipulation for the IME.

**B. Discovery That Remains To Be Completed:**

If the matter does not resolve at mediation, the Parties anticipate further exchanges of written discovery, additional third-party subpoenas as necessary, supplementation in compliance with FRCP 26, the disclosure of expert reports and rebuttal reports, fact witness depositions, and expert depositions.

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**C. The Reasons Why The Deadline Was Not Satisfied, Or The Remaining Discovery Was Not Completed Within The Time Limits Set By The Discovery Plan:**

Discovery deadlines remain pending. The parties have been diligent in conducting written discovery and are working together to coordinate the IME of Plaintiff as to the injuries at issue in this litigation. In connection with the agreement to stipulate to an IME of Plaintiff, the parties met and conferred on the potential for early settlement discussions and have agreed to participate in an early mediation following completion of the IME and before the parties incur significant expenses exchanging expert reports and taking depositions. So as to focus efforts on mediation, the parties seek an extension of the current discovery dates and deadlines to allow the parties time to participate in the mediation and, if the case does not resolve at mediation, sufficient time to obtain and disclose expert reports and move forward with fact witness depositions and complete discovery. The parties are currently meet and conferring on selection of a private mediator.

**D. A proposed schedule for completing all remaining discovery:**

The Parties hereby stipulate and agree to the following terms:

- a. All outstanding, unexpired discovery deadlines, including any obligations arising from Rule 26(f), will be continued by approximately 90 days (to adjust for weekends and holidays);
- b. The deadline to file Motions to Amend Pleadings or Add Parties will be continued from September 3, 2024 to **December 3, 2024**.
- c. The deadline for Rule 26(a)(2)(D) Initial Expert Disclosures will be continued from October 3, 2024, to **January 7, 2025**;
- d. The deadline for Rebuttal Expert Disclosures will be continued from November 1, 2024, to **February 7, 2025**;
- e. The deadline for Completion of Discovery will be continued from December 2, 2024, to **March 3, 2025**;
- f. The deadline to file Dispositive Motions will be continued from January 3, 2025, to **April 3, 2025**; and

g. The deadline to file Joint Pretrial Order will be continued from February 2, 2025, to **May 2, 2025**, unless dispositive motions are filed, in which case the deadline to file the joint pretrial order is 30 days after a decision on the dispositive motions or on further order of the court.

For these reasons, the Parties jointly request that the Court enter an order giving effect to their agreement.

**IT IS SO STIPULATED.**

Dated: September 3, 2024

**HINES HAMPTON PELANDA LLP**

By: /s/ Christine Emanuelson  
Christine M. Emanuelson  
Attorney for Defendant,  
CRESTBROOK INSURANCE COMPANY

Dated: September 3, 2024

**SOUTHWEST INJURY LAW, PLLC**

By: /s/ Luis A. Ayon  
Luis A. Ayon  
Attorney for Plaintiff,  
SURJEET SINGH

**ORDER**

**IT IS SO ORDERED.**

Rayna J. Zouchak  
UNITED STATES MAGISTRATE JUDGE

DATED: September 3, 2024